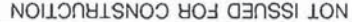


COBB COUNTY ZONING DIVISION



APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PHONE#: (770) 432-7954 **EMAIL:** dmcginnis@nwmetroatlantahabitat.org

REPRESENTATIVE: David H. McGinnis

PHONE#: (770) 432-7954 **EMAIL:** dmcginnis@nwmetroatlantahabitat.org

TITLEHOLDER: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PROPERTY LOCATION: Northwest side of South Gordon Road,
southwest of Veterans Memorial Highway
(5730 South Gordon Road).

ACCESS TO PROPERTY: South Gordon Road

PHYSICAL CHARACTERISTICS TO SITE: Single family home

CONTIGUOUS ZONING/DEVELOPMENT

NORTH: GC/ Undeveloped Land
SOUTH: R-20/ Undeveloped Land
EAST: NS/ Single Family Home
WEST: R-20/H.W Belcher Subdivision

PETITION NO: Z-58

HEARING DATE (PC): 09-04-14

HEARING DATE (BOC): 09-16-14

PRESENT ZONING: NS, R-20

PROPOSED ZONING: R-20

PROPOSED USE: Two Single-family Houses

SIZE OF TRACT: 1.32 acres

DISTRICT: 18

LAND LOT(S): 33

PARCEL(S): 17

TAXES: PAID X **DUE** _____

COMMISSION DISTRICT: 4

OPPOSITION: NO. OPPOSED _____ **PETITION NO:** _____ **SPOKESMAN** _____

PLANNING COMMISSION RECOMMENDATION

APPROVED _____ **MOTION BY** _____

REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

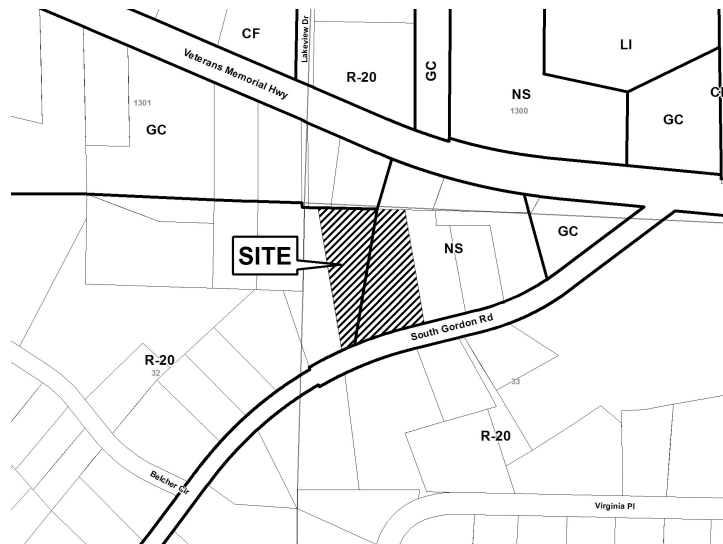
BOARD OF COMMISSIONERS DECISION

APPROVED _____ **MOTION BY** _____

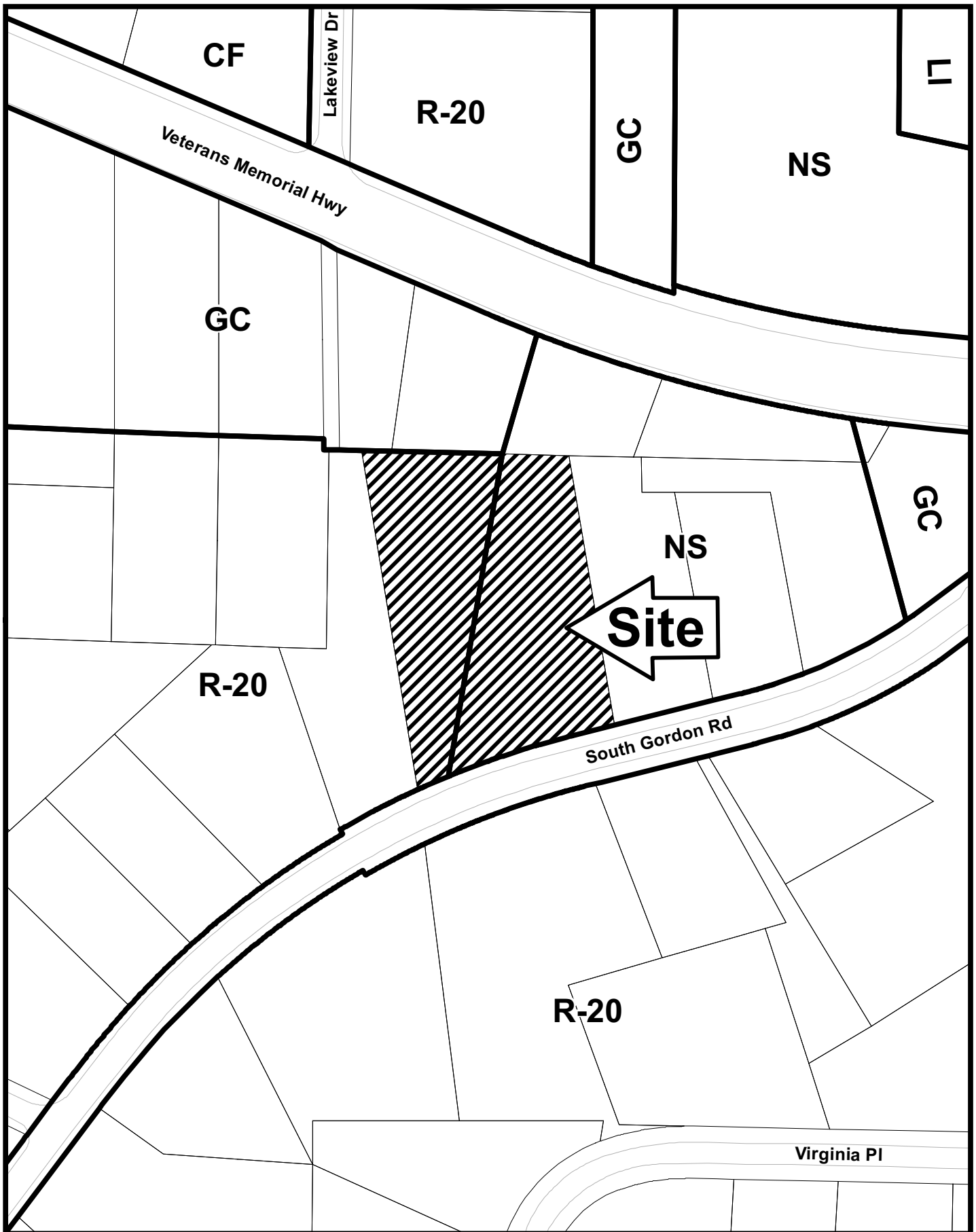
REJECTED _____ **SECONDED** _____

HELD _____ **CARRIED** _____

STIPULATIONS:



Z-58



This map is provided for display and planning purposes only. It is not meant to be a legal description.

0 100 200 Feet



City Boundary
Zoning Boundary

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc. **PETITION NO.:** Z-58

PRESENT ZONING: NS, R-20 **PETITION FOR:** R-20

ZONING COMMENTS:	Staff Member Responsible: <u>Donald Wells</u>
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Land Use Plan Recommendation: Neighborhood Activity Center (NAC)

Proposed Number of Units: 2 **Overall Density:** 1.52 **Units/Acre**

Staff estimate for allowable # of units: 2.15 Units* **Decrease of:** 0 .63 **Units/Lots**

*Estimate could be higher or lower based on engineered plans taking into account topography, shape of property, utilities, roadways, natural features such as creeks, wetlands, etc., and other unforeseen circumstances.

Applicant is requesting the R-20 zoning category for the development for 2 single family homes. The proposed house sizes will be a minimum of 2400 square feet. The proposed selling prices will be \$105,000 each. The proposed site plan indicates the lots will meet or exceed the minimum R-20 lot size requirements of 20,000 square feet. The proposed lot size average is 28,840 square feet.

Cemetery Preservation: There is no significant impact on the cemetery site listed in the Cobb County Cemetery Preservation Commission’s Inventory Listing which is located in this, or adjacent land lot.

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PETITION NO.: Z-58

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

SCHOOL COMMENTS:

		Capacity	Number of
Name of School	Enrollment	Status	Portable
			Classrooms
Elementary			
Middle			
High			

- School attendance zones are subject to revision at any time.

Additional Comments:

Board of Education felt the proposed rezoning would not have a significant impact, so no comments were issued.

FIRE COMMENTS:

After analyzing the information presented for a Preliminary Review, the Cobb County Fire Marshal’s Office is confident that all other items can be addressed during the Plan Review Stage.

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PETITION NO.: Z-58

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

PLANNING COMMENTS:

The applicant is requesting a rezoning from NS and R-20 to R-20 for purpose of two single family homes. The 1.32 acre site is located on the northwest side of South Gordon Road, southwest of Veterans Memorial Highway.

Comprehensive Plan

The parcel is within a Neighborhood Activity Center (NAC) future land use category, with GC zoning designation. The purpose of the (NAC) category is to provide for areas that serve neighborhood residents and businesses. Typical land uses for these areas include small offices, limited retail and grocery stores.

Master Plan/Corridor Study

The parcel is located within the Canton Road Design Guideline boundary.

Historic Preservation

After consulting various county historic resources surveys, historic maps, archaeology surveys and Civil War trench location maps, staff finds that no known significant historic resources appear to be affected by this application. No further comment. No action by applicant requested at this time.

Design Guidelines

Is the parcel in an area with Design Guidelines? ☐ Yes ☒ No

If yes, design guidelines area _____

Does the current site plan comply with the design requirements?

Incentive Zones

Is the property within an Opportunity Zone? ☐ Yes ☒ No

The Opportunity Zone is an incentive that provides \$3,500 tax credit per job in eligible areas if two or more jobs are being created. This incentive is available for new or existing businesses.

Is the property within an Enterprise Zone? ☒ Yes ☐ No

The Enterprise Zone is an incentive that provides tax abatements and other economic incentives for qualifying businesses locating or expanding within designated areas for new jobs and capital investments.

Is the property eligible for incentives through the Commercial and Industrial Property Rehabilitation Program? ☒ Yes ☐ No

The Commercial and Industrial Property Rehabilitation Program is an incentive that provides a reduction in ad valorem property taxes for qualifying redevelopment in eligible areas.

For more information on incentives, please call the Office of Economic Development at 770.528.2607 or find information online at <http://economic.cobbcountyga.gov>.

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, Inc.

PETITION NO.: Z-58

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

PLANNING COMMENTS: (Continued)

Special Districts

Is this property within the Cumberland Special District #1 (hotel/motel fee)?

☐ Yes ☒ No

Is this property within the Cumberland Special District #2 (ad valorem tax)?

☐ Yes ☒ No

APPLICANT Habitat for Humanity

PETITION NO. Z-058

PRESENT ZONING NS, R-20

PETITION FOR R-20

WATER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

Available at Development: ☒ Yes ☐ No

Fire Flow Test Required: ☒ Yes ☐ No

Size / Location of Existing Water Main(s): 8" Di / S side of South Gordon Road

Additional Comments:

Developer may be required to install/upgrade water mains, based on fire flow test results or Fire Department Code. This will be resolved in the Plan Review Process.

SEWER COMMENTS:

NOTE: Comments reflect only what facilities were in existence at the time of this review.

In Drainage Basin: ☒ Yes ☐ No

At Development: ☒ Yes ☐ No

Approximate Distance to Nearest Sewer: On site

Estimated Waste Generation (in G.P.D.): A D F= +160 Peak= +400

Treatment Plant: South Cobb

Plant Capacity: ☒ Available ☐ Not Available

Line Capacity: ☒ Available ☐ Not Available

Projected Plant Availability: ☒ 0 - 5 years ☐ 5 - 10 years ☐ over 10 years

Drw Sewers Required: ☐ Yes ☒ No

Off-site Easements Required: ☐ Yes* ☒ No *If off-site easements are required, Developer must submit easements to CCWS for review/approval as to form and stipulations prior to the execution of easements by the property owners. All easement acquisitions are the responsibility of the Developer

Flow Test Required: ☐ Yes ☒ No

Letter of Allocation issued: ☐ Yes ☒ No

Septic Tank Recommended by this Department: ☐ Yes ☒ No

Subject to Health Department Approval: ☐ Yes ☒ No

Additional Comments: Both lots must be connected to sanitary sewer

Developer will be responsible for connecting to the existing County water and sewer systems, installing and/or upgrading all outfalls and water mains, obtaining on and/or offsite easements, dedication of on and/or offsite water and sewer to Cobb County, as may be required. Rezoning does not guarantee water/sewer availability/capacity unless so stated in writing by the Cobb County Water System. Permit issuances subject to continued treatment plant compliance with EPD discharge requirements.

APPLICANT: Habitat for Humanity

PETITION NO.: Z-58

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS

FLOOD HAZARD: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

DRAINAGE BASIN: Buttermilk Creek FLOOD HAZARD INFO: Zone X

- ☐ FEMA Designated 100 year Floodplain Flood.
- ☐ Flood Damage Prevention Ordinance DESIGNATED FLOOD HAZARD.
- ☐ Project subject to the Cobb County Flood Damage Prevention Ordinance Requirements.
- ☐ Dam Breach zone from (upstream) (onsite) lake - need to keep residential buildings out of hazard.

WETLANDS: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

Location: _____

- ☐ The Owner/Developer is responsible for obtaining any required wetland permits from the U.S. Army Corps of Engineer.

STREAMBANK BUFFER ZONE: ☐ YES ☒ NO ☐ POSSIBLY, NOT VERIFIED

- ☐ Metropolitan River Protection Area (within 2000' of Chattahoochee River) ARC (review 35' undisturbed buffer each side of waterway).
- ☐ Chattahoochee River Corridor Tributary Area - County review (_____ undisturbed buffer each side).
- ☐ Georgia Erosion-Sediment Control Law and County Ordinance - County Review/State Review.
- ☐ Georgia DNR Variance may be required to work in 25 foot streambank buffers.
- ☐ County Buffer Ordinance: **50'**, 75', 100' or 200' each side of creek channel.

DOWNSTREAM CONDITION

- ☐ Potential or Known drainage problems exist for developments downstream from this site.
- ☐ Stormwater discharges must be controlled not to exceed the capacity available in the downstream storm drainage system.
- ☒ Minimize runoff into public roads.
- ☒ Minimize the effect of concentrated stormwater discharges onto adjacent properties.
- ☐ Developer must secure any R.O.W required to receive concentrated discharges where none exist naturally
- ☐ Existing Lake Downstream _____.
Additional BMP's for erosion sediment controls will be required.
- ☐ Lake Study needed to document sediment levels.
- ☐ Stormwater discharges through an established residential neighborhood downstream.
- ☐ Project engineer must evaluate the impact of increased volume of runoff generated by the proposed project on _____.

APPLICANT: Habitat for Humanity

PETITION NO.: Z-58

PRESENT ZONING: NS, R-20

PETITION FOR: R-20

STORMWATER MANAGEMENT COMMENTS – Continued

SPECIAL SITE CONDITIONS

- ☐ Provide comprehensive hydrology/stormwater controls to include development of out parcels.
- ☒ Submit all proposed site improvements to Plan Review.
- ☐ Any **spring activity** uncovered must be addressed by a qualified geotechnical engineer (PE).
- ☐ Structural fill _____ must be placed under the direction of a qualified registered Georgia geotechnical engineer (PE).
- ☐ Existing facility.
- ☒ Project must comply with the Water Quality requirements of the CWA-NPDES-NPS Permit and County Water Quality Ordinance.
- ☐ Water Quality/Quantity contributions of the existing lake/pond on site must be continued as baseline conditions into proposed project.
- ☐ Calculate and provide % impervious of project site.
- ☐ Revisit design; reduce pavement area to reduce runoff and pollution.

INSUFFICIENT INFORMATION

- ☐ No Stormwater controls shown _____
- ☐ Copy of survey is not current – Additional comments may be forthcoming when current site conditions are exposed.
- ☐ No site improvements showing on exhibit.

ADDITIONAL COMMENTS

1. The total proposed impervious coverage for the two lots will not exceed 5000 square feet and will therefore not require stormwater management. However, all downspouts should be discharged to the ground at the structure to maximize overland flow of roof runoff.

APPLICANT: Habitat for Humanity of Northwest Metro Atlanta, IncPETITION NO.: Z-58

PRESENT ZONING: NS and R-20PETITION FOR: R-20

TRANSPORTATION COMMENTS

The following comments and recommendations are based on field investigation and office review of the subject rezoning case:

ROADWAY	AVERAGE DAILY TRIPS	ROADWAY CLASSIFICATION	SPEED LIMIT	JURISDICTIONAL CONTROL	MIN. R.O.W. REQUIREMENTS
South Gordon Road	3800	Major Collector	40 mph	Cobb County	80'

Based on 2008 traffic counting data taken by Cobb County DOT (South Gordon Road)

COMMENTS AND OBSERVATIONS

South Gordon Road is classified as a major collector and according to the available information the existing right-of-way does not meet the minimum requirements for this classification.

RECOMMENDATIONS

Recommend applicant consider entering into a development agreement pursuant to O.C.G.A. 36-71-13 for dedication of the following system improvements to mitigate traffic concerns: a) donation of right-of-way on northwest side of South Gordon Road, a minimum of 40' from the roadway centerline.

Recommend sidewalk along the South Gordon Road frontage.

Recommend applicant be required to meet all Cobb County Development Standards and Ordinances related to project improvements.

STAFF RECOMMENDATIONS

Z-58 HABITAT FOR HUMANITY OF NORTHWEST METRO ATLANTA, INC.

- A. It is Staff's opinion that the applicant's rezoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. Other properties in the area are similarly zoned and have similar densities.
- B. It is Staff's opinion that the applicant's rezoning proposal will not have an adverse affect on the usability of adjacent or nearby property. While other properties zoning categories vary in the area, the uses are single family.
- C. It is Staff's opinion that the applicant's rezoning proposal will not result in a use which would cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. This opinion can be supported by the departmental comments contained in this analysis.
- D. It is Staff's opinion that the applicant's rezoning proposal is not in conformity with the policy and intent of the *Cobb County Comprehensive Plan*, which delineates this property to be within the Neighborhood Activity Center. While the Neighborhood Activity Center uses typically includes small offices, limited retail and grocery stores, the past and present uses in this area are single family.
- E. It is Staff's opinion that there are existing and changing conditions affecting the use and development of the property which give supporting grounds for approving the applicant's rezoning proposal. While the proposed zoning category is not compatible with the *Cobb County Comprehensive Plan* designation of Neighborhood Activity Center, staff believes that a single family use is appropriate. Staff believes that this rezoning request is keeping the surrounding neighborhood.

Based on the above analysis, Staff recommends **APPROVAL** subject to the following conditions:

- Site plan received by the Zoning Division on June 26, 2014;
- Fire Department Comments and Recommendations;
- Water and Sewer Division Comments and Recommendations;
- Stormwater Management Division Comments and Recommendations;
- Department of Transportation Comments and Recommendations; and
- Owner/developer to enter into a Development Agreement pursuant to O.C.G.A. §36-71-13 for dedication of system improvements to mitigate traffic concerns.

The recommendations made by the Planning and Zoning Staff are only the opinions of the Planning and Zoning Staff and are by no means the final decision. The Cobb County Board of Commissioners makes the final decisions on all Rezoning and Land Use Permits at an advertised public hearing.

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COBB COUNTY ZONING DIVISION



Application #: Z-58
PC Hearing Date: 9-4-14 (Thurs.)
BOC Hearing Date: 9-16-14

Summary of Intent for Rezoning

.....
Part 1. Residential Rezoning Information (attach additional information if needed)

- a) Proposed unit square-footage(s): 1457 sq house & 1445 sq house
b) Proposed building architecture: Residential house - detached
c) Proposed selling prices(s): \$105,000 each
d) List all requested variances: _____

.....
Part 2. Non-residential Rezoning Information (attach additional information if needed)

- a) Proposed use(s): _____
b) Proposed building architecture: _____
c) Proposed hours/days of operation: _____
d) List all requested variances: _____

.....
Part 3. Other Pertinent Information (List or attach additional information if needed)

-
Part 4. Is any of the property included on the proposed site plan owned by the Local, State, or Federal Government?
(Please list all Right-of-Ways, Government owned lots, County owned parcels and/or remnants, etc., and attach a plat clearly showing where these properties are located). _____

-
Part 5. Is this application a result of a Code Enforcement action? No ☒; Yes _____ (If yes, attach a copy of the Notice of Violation and/or tickets to this form).

Applicant signature: _____

Date: 6/24/14

Applicant name (printed): David A. McQuinn

President